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TRANSMITTAL FORM

*(to be used for all correspondence during pendency of
filed application)*

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	Application Number	10/602,372	
	Filing Date	June 23, 2003	
	First Named Inventor	Dany Berube	
	Group Art Unit Number	3731	
	Examiner Name	Gary Jackson	
Total Number of Pages in This Submission	14*	Attorney Docket Number	23488-09191

ENCLOSURES (check all that apply)

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REMARKS: * No. of pages does not include pages of cited references

SIGNATURE OF ATTORNEY OR AGENT

Signature:	<i>Albert C. Smith</i>		
Attorney/Reg. No.:	Albert C. Smith/Reg. No. 20,355	Dated:	11/16/09

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:	<i>A. C. Smith</i>		
Typed or Printed Name:	Albert C. Smith	Dated:	11/16/04
Express Mail Mailing Number (optional):			



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Dany Berube, et al.
APPLICATION NO.: 10/602,372
FILING DATE: June 23, 2003
TITLE: Clamp Accessory and Method for an Ablation Instrument
EXAMINER: Gary Jackson
GROUP ART UNIT: 3731
ATTY. DKT. NO.: 23488-09191

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Dated: 11/16/04 By: Albert C. Smith
Albert C. Smith, Reg. No.: 20,355

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INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;

- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
 - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
 - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained

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in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____, filed on _____, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
DANY BERUBE, ET AL.

Dated: 11/16/04

By: A. C. Smith

Albert C. Smith, Reg. No.: 20,355
Fenwick & West LLP
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7296
Fax.: (650) 938-5200



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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Sheet 1 of 10

Complete if Known

Application No.	10/602,372
Filing Date	June 23, 2003
First Named Inventor	Dany Berube
Art Unit	3731
Examiner Name	Gary Jackson

Attorney Docket Number 23488-09191

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No.	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-3,598,108	08-10-1971	JAMSHIDI ET AL.
		US-3,886,944	06-03-1975	JAMSHIDI
		US-3,976,082	08-24-1976	SCHMITT
		US-4,033,357	07-05-1977	HELLAND ET AL.
		US-4,045,056	08-30-1977	KANDAKOV ET AL.
		US-4,073,287	02-14-1978	BRADLEY ET AL.
		US-4,244,371	01-13-1981	FARIN
		US-4,312,364	01-26-1982	CONVERT ET AL.
		US-4,409,993	10-18-1983	FURIHATA
		US-4,416,276	11-22-1983	NEWTON ET AL.
		US-4,445,892	05-01-1984	HUSSEIN ET AL.
		US-4,448,198	05-15-1984	TURNER
		US-4,462,412	07-31-1984	TURNER
		US-4,465,079	08-14-1984	DICKHUDT
		US-4,476,872	10-16-1984	PERLIN
		US-4,494,539	01-22-1985	ZENITANI ET AL.
		US-4,564,200	01-14-1986	LORING ET AL.
		US-4,583,556	04-22-1986	HINES ET AL.
		US-4,601,296	07-22-1986	YERUSHALMI
		US-4,611,604	09-16-1986	BOTVIDSSON ET AL.
		US-4,640,983	02-03-1987	COMTE
		US-4,641,646	02-10-1987	SCHULTZ ET AL.
		US-4,655,219	04-07-1987	PETRUZZI
		US-4,657,015	04-14-1987	IRNICH
		US-4,763,668	08-16-1988	MACEK ET AL.
		US-4,785,815	11-22-1988	COHEN
		US-4,800,899	01-31-1989	ELLIOTT
		US-4,825,880	05-02-1989	STAUFFER ET AL.
		US-4,841,988	06-27-1989	FETTER ET AL.
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		US-4,881,543	11-21-1989	TREMBLY ET AL
		US-4,891,483	01-02-1990	KIKUCHI ET AL.

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Application No.	10/602,372
Filing Date	June 23, 2003
First Named Inventor	Dany Berube
Art Unit	3731
Examiner Name	Gary Jackson

Attorney Docket Number 23488-09191

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No.	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	US-4,924,863	05-15-1990	STERZER	
	US-4,945,912	08-07-1990	LANGBERG	
	US-5,007,437	04-16-1991	STERZER	
	US-5,019,076	05-28-1991	YAMANASHI ET AL.	
	US-5,044,375	09-03-1991	BACH, JR. ET AL.	
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	US-5,364,392	11-15-1994	WARNER ET AL.	
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Examiner Signature	Date Considered
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Application No.	10/602,372
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First Named Inventor	Dany Berube
Art Unit	3731
Examiner Name	Gary Jackson

Attorney Docket Number 23488-09191

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No.	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	US-5,370,675	12-06-1994	EDWARDS ET AL.	
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Examiner Signature	Date Considered
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Sheet | 4 | of | 10

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Application No.	10/602,372
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First Named Inventor	Dany Berube
Art Unit	3731
Examiner Name	Gary Jackson

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No.	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	US-5,571,215	11-05-1996	STERMAN ET AL.	
	US-5,578,030	11-26-1996	LEVIN	
	US-5,593,405	01-14-1997	OSYPKA	
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	US-5,743,239	04-28-1998	IWASE	
	US-5,755,760	05-26-1998	MAGUIRE ET AL.	
	US-5,762,626	06-09-1998	LUNDQUIST ET AL.	
	US-5,769,846	06-23-1998	EDWARDS ET AL.	
	US-5,782,747	07-21-1998	ZIMMON	
	US-5,782,828	07-21-1998	CHEN ET AL.	
	US-5,785,706	07-28-1998	BEDNAREK	
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	US-5,797,905	08-25-1998	FLEISCHMAN ET AL.	
	US-5,800,378	09-01-1998	EDWARDS ET AL.	

Examiner Signature	Date Considered
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Sheet 5 of 10

Application No.	10/602,372
Filing Date	June 23, 2003
First Named Inventor	Dany Berube
Art Unit	3731
Examiner Name	Gary Jackson

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	US-5,800,379	09-01-1998	EDWARDS	
	US-5,800,413	09-01-1998	SWARTZ ET AL.	
	US-5,800,482	09-01-1998	POMERANZ ET AL.	
	US-5,807,309	09-15-1998	LUNDQUIST ET AL.	
	US-5,807,395	09-15-1998	MULIER ET AL.	
	US-5,810,803	09-22-1998	MOSS ET AL.	
	US-5,814,028	09-29-1998	SWARTZ ET AL.	
	US-5,823,197	10-20-1998	EDWARDS	
	US-5,823,955	10-20-1998	KUCK ET AL.	
	US-5,826,576	10-27-1998	WEST	
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	US-5,840,027	11-24-1998	SWARTZ ET AL.	
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	US-5,855,614	01-05-1999	STEVENS ET AL.	
	US-5,861,021	01-19-1999	THOME ET AL.	
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	US-5,871,481	02-16-1999	KANNENBERG ET AL.	
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	US-5,904,709	05-18-1999	ARNDT ET AL.	
	US-5,919,188	07-06-1999	SHEARON ET AL.	
	US-5,921,924	07-13-1999	AVITALL	
	US-5,924,424	07-20-1999	STEVENS ET AL.	
	US-5,938,692	08-17-1999	RUDIE	
	US-5,954,662	09-21-1999	SWANSON ET AL.	
	US-5,957,842	09-28-1999	LITTMANN ET AL.	
	US-5,957,969	09-28-1999	WARNER ET AL.	
	US-5,964,727	10-12-1999	EDWARDS ET AL.	
	US-5,964,732	10-12-1999	WILLARD	
	US-5,964,756	10-12-1999	McGAFFIGAN ET AL.	

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Sheet 6 of 10

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	US-6,012,457	01-11-2000	LESH	
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Application No.	10/602,372
Filing Date	June 23, 2003
First Named Inventor	Dany Berube
Art Unit	3731
Examiner Name	Gary Jackson

Attorney Docket Number 23488-09191

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